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REMARKS

Claims 1-37 are pending in the subject application. Claims 1-36 stand rejected under 35 U.S.C. § 102(e) and claim 37 stands rejected under 35 U.S.C. § 103(a).

The Applicants appreciate the Examiner's thorough examination of the subject application and respectfully request reconsideration of the subject application based on the following remarks.

35 U.S.C. § 102(e) REJECTION

The Examiner has rejected claims 1-36 under 35 USC § 102(e) as being anticipated by U.S. Patent Application Publication Number 2003/0154405 to Harrison ("Harrison" or the "Harrison Reference"). The Applicants respectfully traverse these rejections for the reasons provide below.

The Harrison reference was published on August 14, 2003 and is based on an international application that was filed on February 28, 2001. The Applicants respectfully swear behind this reference. Declarations Under 37 CFR § 1.131 executed by inventors Oliver T. Althoff and Thomas S. Johnstone are attached hereto. A Statement Of Facts Regarding Inventor's Unwillingness To Sign Declaration Under 37 CFR § 1.131 for co-inventor Micheal J. Abbott and a Petition Under 37 CFR § 1.47 are also attached. Accordingly, the grounds for rejection are believed to be moot.

Consequently, it is respectfully submitted that, claims 1-36 are not anticipated by the Harrison reference, and further, satisfy all of the requirements of 35 U.S.C. § 100, et seq., especially § 102(e). Accordingly, claims 1-36 are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

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35 U.S.C. § 103(a) REJECTION

The Examiner has rejected claim 37 under 35 USC § 103(a) as unpatentable over Harrison. The Applicants respectfully traverse these rejections for the reasons provided above.

Accordingly, the Applicants assert that claim 37 is not made obvious by the Harrison reference and, further, satisfies the requirements of 35 U.S.C. § 100 et seq., especially section § 103(a). As such, the Applicants believe that claim 37 is allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

The Applicants believe that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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